



#20/B
BD
5-8-03
(NE)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **C nfirmation No. 7242**
Minoru FUJIMORI et al. : Docket No. 2001_0206A
Serial No. 09/816,391 : Group Art Unit 1635
Filed March 26, 2001 : Examiner B. Whiteman

ANAEROBIC BACTERIUM AS A DRUG
FOR CANCER GENE THERAPY

RESPONSE UNDER 37. CFR 1.116
EXPEDITED PROCEDURE
TRAINING GROUP 1635

AMENDMENT AFTER FINAL

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAY 07 2003

TECH CENTER 1600/2900

Sir:

Responsive to the Office Action issued January 2, 2002, the time for responding thereto being extended for one month in accordance with a petition for extension submitted concurrently herewith, please amend the above-identified application as follows:

IN THE CLAIMS

Please amend the claims as follows:

14. (Twice Amended) A method for expressing a gene coding for a protein having an antitumor activity in tissue tumors specifically, which comprises use of a bacterium selected from the group consisting of *Bifidobacterium adolescentis*, *Bifidobacterium longum*, *Bifidobacterium bifidum*, *Bifidobacterium pseudolongum*, *Bifidobacterium thermophilum*, *Bifidobacterium breve*, *Bifidobacterium infantis*, wherein said bacterium is transformed with a recombinant DNA, said DNA is used as a gene delivery vector, and said DNA delivered specifically to tumor tissues under anaerobic conditions is expressed in the tumor tissues.

OK
bmt
PW
5/12/03